

Nunes Defends Farmers Against Attacks from Extremists

Recently, several lawsuits were filed by extremist environmental groups against farmers, claiming that manure is a hazardous substance or pollutant. If these cases are successful, other farmers could be held liable under the “Superfund” law (CERCLA) and the “Community Right-to-Know Act (EPCRA).”

Mr. Nunes believes that Congress must take action to clarify that it never intended to regulate manure in the same manner that toxic waste dumps and spills such as Love



Canal—the environmental disaster during the 1970’s in upstate New York—are regulated. Animal agriculture operations are already heavily regulated by local, state and federal authorities. They are also required to have

permits under the Clean Water Act, the Clean Air Act, and many other laws.

“Efforts to equate farmers with hazardous polluters are irresponsible, inappropriate and a gross distortion of the intent of

Congress in adopting laws governing toxic waste,” said Congressman Nunes.

To rectify this situation, Congressman Nunes co-sponsored H.R. 4341, which would simply exclude manure from the definition of “hazardous substance” or “pollutant or contaminant.”

Learn more about what Rep. Devin Nunes is doing by visiting his website at www.nunes.house.gov

Department of Interior Disappoints with Snowy Plover Ruling

Rep. Nunes was disappointed to hear that the Department of Interior has decided not to delist the Pacific Coastal population of the Western Snowy Plover. Furthermore, he was disappointed to learn that the Department renewed its finding that the Pacific Coast population is a “distinct population segment.” Rep. Nunes communicated with Secretary of the Interior Kempthorne to express his concerns directly.

“It appears that the Department based this decision not on the clear genetic data showing the coastal population to be identical to the interior plover population, but



rather on inconclusive “banding” data that is more than 13 years old,” said Rep. Nunes.

The Department’s preferred approach is to instead propose a special “4d” rule to address the conservation of the Pacific Coast population of the Western Snowy

Plover. The proposed special rule generally establishes breeding bird goals based on a county-by-county survey. Yet, the Fish & Wildlife Service is proposing setting a separate standard for Oceano Dunes, apart from the standards for San Luis Obispo or Santa Barbara counties. Furthermore,

the standard proposed for Oceano Dunes is three times the current count. That standard is much greater than what is being required for other areas. In fact, that number is greater than the number of breeding birds being called for in the states of Oregon and Washington combined.

The separate standard for Oceano Dunes is simply not a balanced policy and unfairly targets recreational users of the dunes. The Dunes are a popular vacation area for San Joaquin Valley residents and this ruling will adversely impact the ability for folks to take part in many normal vacation activities.